

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

DAVID GILBERT SAFFRON
a/k/a DAVID GILBERT and
CIRCLE SOCIETY, CORP.,

Defendants.

Case No. 2:19-cv-1697-JAD-DJA

**[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR ALTERNATIVE
SERVICE OF PROCESS ON DEFENDANT DAVID SAFFRON**

This Court, having considered Plaintiff Commodity Futures Trading Commission's Motion for Alternative Service of Process on Defendant David Saffron, and having found good cause therefore,

IT IS HEREBY ORDERED that Plaintiff shall serve the Summons and Complaint in this action on Defendant Saffron:

(1) By publishing notification of the Summons and a statement describing how a copy of the

Summons, Complaint, and other filings may be obtained, once a week for a period of four weeks, in the *Las Vegas Review Journal* and *Los Angeles Daily News*.

(2) By providing the proposed language of the summons to be used in the publication, briefly summarizing the claims asserted and the relief sought and including any special statutory requirements, as follows:

Commodity Futures Trading Commission, Plaintiff v. David Gilbert Saffron a/k/a
David Gilbert and Circle Society, Corp., Defendant.

Summons in a Civil Action

To: David Gilbert Saffron a/k/a David Gilbert

A lawsuit has been filed against you. YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEYS, Division of Enforcement, Commodity Futures Trading Commission, 1155 21st Street, N.W., Washington, D.C. 20581, an Answer to the Complaint, accessible at the CFTC's website, <https://www.cftc.gov/PressRoom/PressReleases/8053-19>, or a motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days of service of this Summons on you by publication. You must also file your Answer or motion with the Court. If you fail to respond, judgment by default will be taken against you for the relief demanded in the Complaint.

Claims Asserted

Options Fraud in violation of 7 U.S.C. § 6c(b) and 17 C.F.R. 32.4; Commodity Pool Operator ("CPO") Fraud in violation of 7 U.S.C. § 6o(1)(A)-(B); Prohibited Activities of a CPO in violation of 17 C.F.R. § 4.20(a)(1), (b), and (c); Failure to register as a CPO and Associated Person of a CPO in violation of 7 U.S.C. §§ 6m(1), 6k(2).

Relief Sought

Full restitution to defrauded investors, disgorgement of ill-gotten gains, civil monetary penalties, permanent registration and trading bans, and a permanent injunction against future violations of the Commodity Exchange Act and Commission Regulations.

(3) By mailing the Summons and Complaint to Defendant Saffron's Last-Known Address.

IT SO ORDERED:

UNITED STATES DISTRICT JUDGE

DATED: _____